(b) and (c) In the Writ Petition (Crl.) No. 135 of 2003 titled Anil Sharma *Vs.* State of Haryana & Ors., the Supreme Court of India *vide* its order dated 28.3.2007 summoned Home Secretaries of States of Andhra Pradesh, Chhattisgarh, Goa, Haryana, Jammu & Kashmir, Karnataka, Madhya Pradesh, Meghalaya, Nagaland, Punjab, Rajasthan, Tripura, Uttarakhand and directed the States to file affidavit. The Supreme Court has taken into account the affidavits filed by these States. No verdict has been pronounced by the Hon'ble Court.

(d) The Draft Policy has been circulated to all the State Government for their views/ comments as the Criminal Law and Criminal Procedure are on the Concurrent List of the Seventh Schedule to the Constitution of India and are administered by the State Governments Implementation of recommendations is subject to receipt of views from the State Governments and Central Government taking a holistic view on the recommendations and view of the State Governments for which no time-frame can be fixed.

Adultery-A Social Offence

911. SHRI MAHENDRAMOHAN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that under the Draft Policy of Criminal Justice, Madhav Menon Committee has suggested that adultery should be treated as social offence and not a criminal offence;

(b) if so,, the details in this regard and the reaction of Government thereto; and

(c) whether Government plans to amend CrPC in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRIMATI V. RADHIKA SELVI): (a) No, Sir.

(b) and (c) Do not arise.

Bangladeshi infiltrators

912. DR. GYAN PRAKASH PILANIA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the total number of unauthorized Bangladeshi infiltrators in India/States at present; those arrested/deported during the last five years;

(b) what is the threat-perception thereof;

(c) whether porous 4000 km. Indo-Bangladesh border is emerging as exporter of global terrorism;

(d) whether a demographic transformation of population is taking place in Assam/N.E. States on account of Bangaladeshi intruders;

(e) if so, repercussions thereof;

(f) whether Bangladesh's HUJI is involved in any terrorist incidents in India; and

(g) if so, their details thereof and action taken thereon?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRIMATI V. RADHIKA SELVI): (a) During the year between 2002-06, 83050 number of Bangladeshi nationals, who were illegally staying in India were deported from various parts of the country to Bangaladesh.

(b), (c), (f) & (g) In some of the recent terrorist incidents in some parts of the country, the involvement of terrorist elements from Bangladesh or use of its territory by some terrorists groups has come to notice.

The Government remains firmly committed to countering the challenge posed by terorism. Towards this end, a multi-pronged strategy is beng pursued in close conjunction with the State Governments, which involves measures to check infiltration from across the borders, deployment of Central Security Forces in Areas prone to terrorist violence, continuous vigilance and strengthening of security arrangements in vulnerable areas and around vital installations, sharing of intelligence, strengthening of State Police Forces and up-gradation of their capabilities to deal with terrorist activities through the schemes of Police modernization and raising of India Reserve battalions, etc. Efforts are also being made to strengthen bilateral and multi-lateral cooperation at the international level with the aim of combating terrorism through arrangements for Mutual Legal Assistance, Extradition Treaties, exchange of information and intelligence, etc.

(d) and (e) The population of all religious communities in the North Eastern States has in 2001 census *vis-a-vis* the 1991 census. The increase in population cannot be attributed entirely to infiltration.

Steps to settle border disputes between Assam and its neighbouring states

913. KUMAR DEEPAK DAS: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the steps taken by Government towards the settlement of border disputes between Assam and neighbouring States *viz.;* Nagaland, Arunachal Pradesh, Meghalaya, etc.; and

(b) whether Government proposes to constitute a Commission for the same and to look into these matters within a particular time-frame?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRIMATI V. RADHIKA SELVI): (a) and (b) The Hon'ble Supreme Court of India *vide* their judgement dated 25.9.2006 has appointed a Local Commission for identification of boundaries between the States of Assam-Nagaland and Assam-Arunachal Pradesh.

In regard to boundary dispute between Assam-Meghalaya, the government has advised both the State Governments from time to time to resolve the issue through mutual understanding.

Deaths in jail custody

914. DR. GYAN PRAKASH PILANIA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) number of deaths which occurred in jails during last 10 years, where jail officials were suspected to be *prima-facie* guilty;

(b) how the above unnatural suspicious deaths in jail custody were disposed off and in how many First Information Reports (FIRs) were registered and guilty convicted;

(c) whether on average 21000 under trial prisoners remain in detention in jails in India, which results in overcrowding; and

(d) if so, whether Section 436(1) and 436A of Cr PC are not being followed?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MANIKRAO GAVIT): (a) Since Prisons is a State subject as per list II of the Seventh Schedule of the Constitution, this data is not maintained centrally. However, as per the statistics compiled by National Crimes Record Bureau, details indicating the number of natural and unnatural deaths which occurred in jails during the last 10 years is given in Statement *(See* below).

(b) The information is not maintained centrally.